FARAD CONTINUATION SHEET NO.:

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

**COMPANY PETITION NO.16 OF 1998 with C.P.Nos.986/97, 1066/97, 1/98, 39/98, 55/98, 62/98, 93/98, 162/98, 382/98, 344/98, 429/98, 679/98, 756/98, 81/99, 321/99, 571/99, 737/99, 773/99, 452/2000 and CPL 283/1999,CP 71/98, and CP 113/98.**

| Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders. | Court's or Judge's orders. |
|---|---|

Ms Manisha Shivgan with Mr M.G.Mimani, for the petitioner in C.P.No.16/98.

Mr Amit Jamsandekar i/b Crawford Bayley and co for the petitioner in CP 992/97.

Mr Devesh Juvekar i/b Humranwala & Co for the petitioner in CP 756/98.

Mr H.V.Kode i/b Y.P.Yagnik for the petitioenr in CP 162/98.

Ms Smita Ranpise i/b S.K.Srivastav & Co for the petitioner in CP Nos 986/97 and 1066/97.

Mr A Iyengar, for the petitioner in CP 81/99.

Mr Ashok Verma, for the petitioner in C.P.No.71/98.

Mr R.A.Shaikh, for the respondents in all matters.

**CORAM : D.B.BHOSALE,J.**
**DATED : 13.09.2007.**

**P.C.:**

1. Heard learned counsel for the parties.

2. These company petitions are pending for

admission since 1997. Company Petition No.16 of 1998 was admitted on 1.7.2005 in view of the order dated 3.11.1998 passed by the learned Single Judge admitting Company Petition No.94 of 1998. These all petitions are directed against the very same company. After admission of the petition, it was directed to be advertised and since advertisement was not given, on the last occasion, that is, on 19.7.2007, the Official Liquidator was directed to advertise the petition in two local newspapers. Accordingly, an affidavit dated 30.8.2007 has been filed by the Official Liquidator placing on record copies of the advertisements published in two local newspapers. Mr.Shaikh, learned counsel for the respondent company, submits that he has no instructions from the respondent company. He submits that the respondent-company is not in touch with him and they do not respond to his letters. The company department has received on-line communication from BIFR to the effect that case no.295 of 2002 against the respondent-company, has been dismissed and

the respondent-company M/s Heat Shrinil Technologies Ltd has been ordered to be wound up. The company has been served. The company has entered appearance. In the absence of any defence, the allegations in company petition no.16 of 1998 would have to be accepted. The petition is accordingly made absolute in terms of clauses (a) and (b). The Official Liquidator , High Court, Bombay is to take charge of all the assets of the company and to conduct affairs of the company in the course of winding up of the company and distribute its assets in accordance with law.

3. In view of the order passed in Company Petition No.16 of 1998, all other company petitions also stand disposed of with liberty to all the petitioner to lodge their claims with the Official Liquidator.

**(D.B.BHOSALE,J.)**